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Intel Corporation

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

DAVID E. LIPTON and DANA F.  
THIBEDEAU, individually and on behalf of  
all others similarly situated,

Plaintiffs,

v.

INTEL CORPORATION, a Delaware  
Corporation,

Defendant.

No. 05-2669

MOTION FOR ADMINISTRATIVE  
RELIEF TO CONSIDER WHETHER  
CASES SHOULD BE RELATED

Pursuant to Civil L.R. 3-12(b), Defendant Intel Corporation (“Intel”) hereby  
notifies the Court and all counsel of its belief that *Karol Juskiewicz et al v. Intel Corp.*,  
No. C-05-3094 (BZ) (filed July 29, 2005) (“*Juskiewicz*”) is a “related case” to the above-  
captioned case within the meaning of Civil L.R. 3-12(a).

This administrative motion is made on the grounds that plaintiffs in *Juskiewicz*  
and in the above-captioned case filed substantially similar class action complaints against the  
same defendant (Intel) and allege essentially the same antitrust conduct. Twenty-one class action  
complaints alleging similar conduct against Intel have already been found by this Court to be  
related to the above-captioned case. *See* Related Cases Orders, signed July 27, 2005, and August

12, 2005. Relating this case pursuant to Civil L.R. 3-12 will advance the convenience of the parties, witnesses and counsel, will avoid the risk of duplicative or inconsistent rulings, orders, and judgments and will serve the interests of justice.

Accordingly, Intel respectfully submits that the assignment of this action to a single judge will conserve judicial resources and promote an efficient determination of the actions. A proposed order accompanies this motion.

DATED: September 22, 2005

BINGHAM McCUTCHEN LLP

By: /s/ Joy K. Fuyuno  
Joy K. Fuyuno  
Attorneys for Defendant  
Intel Corporation

DATED: September 26, 2005

TRUMP, ALIOTO, TRUMP & PRESCOTT

By: /s/ Mario N. Alioto  
Mario N. Alioto  
Attorneys for Plaintiff  
Karol Juskiewicz

**[PROPOSED] RELATED CASE ORDER**

A Motion for Administrative Relief to Consider Whether Cases Should be Related (Civil L.R. 3-12) has been filed. As the judge assigned to the above-captioned case, I find that the more recently filed case(s) that I have initialed below are related to the case assigned to me, and such case(s) shall be reassigned to me. Any cases listed below that are not related to the case assigned to me are referred to the judge assigned to the next-earliest filed case for a related case determination.

C-05-3094 BZ    Karol Juskiewicz et al v. Intel Corporation

I find that the above case is related to the case assigned to me. \_\_\_\_\_

**[PROPOSED] ORDER**

Counsel are instructed that all future filings in any reassigned case are to bear the initials of the newly assigned judge immediately after the case number. Any case management conference in any reassigned case will be rescheduled by the Court. The parties shall adjust the dates for the conference, disclosures and report required by FRCivP 16 and 26 accordingly. Unless otherwise ordered, any dates for hearing noticed motions are vacated and must be re-noticed by the moving party before the newly assigned judge; any deadlines set by the ADR Local Rules remain in effect; and any deadlines established in a case management order continue to govern, except dates for appearance in court, which will be rescheduled by the newly assigned judge.

DATED: \_\_\_\_\_, 2005

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Honorable Marilyn H. Patel